

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

NORTHERN OIL & GAS, INC.,
and MARVIN D. SKELTON,

Plaintiffs,

vs.

Civ. 97-1543 MV/WWD

AMOCO OIL COMPANY,

Defendant.

REPORT AND RECOMMENDATION

This matter comes before the Court as the result of the filing of Defendant's Certificate of Plaintiffs' Non-Compliance with Deadlines to Meet and Confer and to Formulate PDP and IPTR. The complaint in this cause was filed December 4, 1997. On January 28, 1998, Defendant filed a motion to dismiss together with the response and reply to that motion. Joint motions to continue deadlines set out in the Initial Scheduling Order and to vacate the initial Rule 16 conference were filed on February 25, 1998, and May 5, 1998. On June 10, 1998, a revised scheduling order was entered. On June 26, 1998, a notice was filed indicating that both lawyers who had represented Plaintiffs has been suspended from the practice of law. On July 15, 1998, Defendant filed a certificate indicating that Plaintiffs had not complied with the deadlines set in the revised scheduling order. According to the Complaint one of the plaintiffs is a corporation. The Court has not been provided with the addresses of either of the Plaintiffs.

RECOMMENDATION

I recommend that the Court dismiss this cause without prejudice for failure to prosecute and for violation of D.N.M.LR-Civ. 83.6 and 83.7.


UNITED STATES MAGISTRATE JUDGE